

## REMARKS

This is amendment replaces and corrects the amendment filed on January 25, 2011. In particular, the footer has been changed to provide a positive indication that this is an amendment after allowance submitted under 37 CFR 1.312. In the notice of allowance dated Oct 28, 2010, the Examiner allowed claims 1, 3-4, 6-16, 19, 21-23, 40-41, 43-51, 53-55, and 57-63. In that notice of allowance, the Examiner made examiner's amendments to independent claims 1, 19, 48, 55, 60, 61, 62, and 63, as well as to dependent claims 4, 50, 51, 57, and 59. Claims 18, 42, 52 and 56 were cancelled. The Examiner advised that should the changes and/or additions not be acceptable to the Applicant; an amendment may be filed as provided under 37 CFR 1.312. In a subsequent communication made orally to the undersigned, Supervisory Patent Examiner Andrew Caldwell stated that he would consider a corrected amendment with requested explanations as discussed below. Entry of the above amendments and reconsideration of the application is requested.

Upon submittal of the original Amendment under Rule 312, Applicants received a notice dated February 10, 2011 indicating that entry of the amendment was refused. In the rejection to enter under Rule 312, the Office stated that

1. the footer on the amendment indicated that it was a "proposed amendment for discussion only" and
2. there were 4 new claims introduced. The Office requested an explanation as to why those new claims were needed and why they could not have been presented earlier.

By the above amendment that replaces the rejected amendment, Applicants have

1. corrected the footer to recite "Corrected Amendment Under Rule 312," and
2. deleted the new claims 64-67 identified in the communication.

These changes render moot the issues raised in the communication. Applicants believe that with the above changes, the amendment in this application is in condition to

be entered under Rule 312, and such entry is solicited so that the patent that issues will incorporate these changes.

As stated above, the above amendments substantially keep the changes and/or additions made by the Examiner in the Examiner's Amendment, but further amend independent claims 1, 19, 48, 60, 61, 62, and 63 to correct grammatical errors and improve claim terminology consistency. Dependent claims 3, 8, 9, 11, 21, 40, 46, 49, 51 and 53 also are amended to correct for grammatical errors and for improving claim terminology consistency or for replacing elements that are repeated or redundant. The need for these changes now is that they were not discovered until Applicants checked the changes actually made by the Examiner's Amendment entered by Examiner Joo.

No new claims are added.

#### Substance of Interviews

Applicant wishes to thank Examiner Joo for considering and providing his comments on two proposed amendments. On January 13<sup>th</sup>, the undersigned and Examiner Joo discussed a first proposed amendment that would correct grammatical errors, improve claim terminology consistency, and delete certain elements, particularly in claims 55 and 63. Examiner Joo indicated that the amendment would likely not be entered under rule 312 because of the change of scope, particularly of claims 55 and 63. Applicants then submitted a second proposed amendment without deleting the claim elements in claims 55 and 63. In a follow-up telephone conference between Examiner Joo and the undersigned, Examiner Joo stated that the new amendment would likely be acceptable if claim 53 was made to refer to a device to be consistent with the claim it depends from, and that claims 55 and 63 needed to recite use of computer software that was introduced.

On March 4, 2011, the undersigned participated in a telephonic interview with Supervisory Patent Examiner Andrew Caldwell, the author of the Official Communication dated February 10, 2011. In that discussion, Mr. Caldwell indicated that he would be willing to reconsider the amendment if the error in the footer was corrected and the requested explanation was provided as to why the changes are needed and why they could not have been presented earlier.

The above amendments incorporate the changes requested by Examiner Joo and Supervisory Patent Examiner Caldwell and are intended to address the issues raised by Mr. Caldwell.

No Fees Due

Applicants believe that no fees are now due. In the event that additional fees are due, the Commissioner of Patents is authorized to charge any additional required fees associated with this amendment to Deposit Account 11-1540.

CONCLUSION

Entry of these amendments under Rule 312 is earnestly requested as a corrected replacement of the amendment filed on January 25, 2011, the day before the issue fee was paid. Applicants believe that the application continues to be in condition for allowance with these amendments, that the amendments do not require a review of the file or further search, and that a patent incorporating these changes will improve the quality of the patent. Accordingly, Applicants respectfully request that the application pass to issue with these amendments incorporated. Reconsideration and allowance of the claims as amended are solicited.

The Examiner is encouraged to telephone the undersigned at (503) 224-6655 or the Applicant or officer of the assignee, William Chang, at (503)-381-7056 if it appears that an additional interview would be helpful in advancing the case.

CERTIFICATE OF ELECTRONIC  
TRANSMISSION

I hereby certify that this correspondence is being filed electronically via the EFS-Web system at [www.uspto.gov](http://www.uspto.gov) on March 9, 2011.

/Heidi Dutro/  
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Respectfully submitted,

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